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REMARKS

The Examiner's Office Action dated 04/16/2004 has been reviewed.

The Examiner has objected to the claims for certain informalities. It is deemed that such grounds of objection are overcome by the amendments herein.

The Examiner has then rejected Claims 2 and 5 "under 35 U.S.C. 102(b) as being clearly anticipated by Madison." The Examiner has rejected Claims 2, 4 and 5 "under 35 U.S.C. 102(b) as being clearly anticipated by Powell '824." The Examiner has then rejected claims 2, 4 and 5 "under 35 U.S.C. 102(e) as being clearly anticipated by Bernstein '229." These rejections are traversed.

Although there are similarities between applicant's invention as disclosed and claimed, there are also significant differences. Such differences are accentuated by the amendments herein to render them more clearly patentable over the prior art as exemplified by that cited and applied by the Examiner. More specifically, the Examiner's primary reference to Madison does relate to a rubber mattress but in such configuration the apertures extend only partway through the rectilinear block of the elastomer and not extending through the block as disclosed and claimed. The same is true of the Examiner's reference to

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Powell. Beyond this, specifically claimed are the apertures of a plurality of sizes and shapes not found anywhere in the prior art, including Madison, Powell and Bernstein. Further, specifically claimed is a flat top and bottom of the insert whereby the mattress can have a flat surface top and bottom when the inserts are positioned with a common insert extending from top to bottom. It is urged that applicant has specifically pointed out and distinctly claimed the features of applicant's invention which distinguish it from the prior art and which provide a new, useful and unobvious combination of elements neither disclosed nor suggested by the prior art whether taken alone or in combination.

In view of the foregoing, it is requested that the Examiner's rejection of the claims be withdrawn and the instant application be passed forward to issuance.

Reconsideration and a Notice of Allowance are requested.